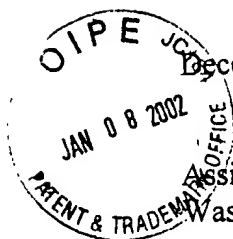




**FOLEY
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ATTORNEYS AT LAW

1655
#13

James T. Olesen, Ph.D.
Boston Office
617.832.1784
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December 7, 2001

Assistant Commissioner of Patents
Washington, DC 20231

Re: U.S. Patent Application No: 09/578,534
Entitled: *Diagnostics and Therapeutics for Restenosis*
Filed: May 24, 2000
By: Crossman et al.
Atty Ref: MSA-017.02

RECEIVED
JAN 15 2002
TECH CENTER 1600/2900

Dear Sir:

Enclosed for filing in the above-referenced patent application please find the following:

1. Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(c);
2. PTO Form 1449;
3. Copies of References "CA" - "CE"; and
4. Return Receipt Postcard.

The Commissioner is hereby authorized to charge any under-payments or credit any over-payments to our Deposit Account No. 06-1448.

<p align="center">Certificate of First Class Mailing</p> <p>I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on the date set forth below:</p> <p><u>December 7, 2001</u> Date</p> <p><i>James T. Olesen</i></p>	<p>Respectfully submitted, FOLEY, HOAG & ELIOT LLP</p> <p><i>James T. Olesen</i></p> <p>James T. Olesen, Ph.D. Reg. No. 46,967 Agent for Applicants Customer ID No. 25181</p>
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20/483170.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Crossman et al.

Application No: 09/578,534

Filed: May 24, 2000

For: *Diagnostics and Therapeutics for Restenosis*

Examiner: Myers, C.

Group Art Unit: 1655

Attorney Ref. No: MSA-017.02

RECEIVED
JAN 15 2002
TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF FIRST CLASS MAILING (37 CFR 1.8 (a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on December 7, 2001.

Terrell Williams

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97 (c)

Sir:

In accordance with 37 CFR § 1.97(c)(1) and (e)(1), Applicants submit the following publications, which were cited in a counterpart PCT application (PCT/US00/14299), for the Examiner's consideration. These publications are cited on the enclosed Form PTO-1449, and a copy of each publication is also being submitted herewith.

Pursuant to 37 CFR § 1.97 (c)(1) and (e)(1), the undersigned hereby certifies that each item of information contained in the Information Disclosure Statement, and listed as references "CA" - "CE" on the enclosed Form PTO-1449, was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of

this Information Disclosure Statement. The foreign communication to which reference is made is an International Search Report dated November 8, 2001.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached Form 1449.

This submission does not represent that a search has been made or that no better art exists, nor does it constitute an admission that the cited documents are material or constitute "prior art." If the Examiner applies the listed documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the referenced documents be applied against the claims of the present application.

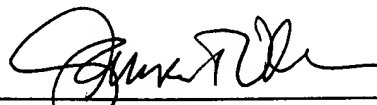
No fees are believed to be due with this filing. If there are any fees due in connection with this filing, however, please charge the appropriate fees as required under 37 C.F.R. § 1.17(p) to our **Deposit Account No. 06-1448**.

Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at (617) 832-1000.

Date: December 7, 2001

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Respectfully Submitted,



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Agent for Applicant